

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**MARGUERITE E. HOLSAPPLE, and
ILLINOIS DEPARTMENT OF HEALTH-
CARE AND FAMILY SERVICES,**

Defendants.

No. 09-1012-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is the Government's Motion for Entry of Default Judgment (Doc. 12). The Court, however, notes that Plaintiff's motion for default judgment does not sufficiently comply with the notice requirements of **LOCAL RULES 55.1(a) & (b)**.¹ Specifically, the Court notes that the Government has failed to provide notice of its motions for entry of default (Doc. 10) and default judgment (Doc. 12) as well as failed to certify to the Court that proper notice was provided as to the entry of default (Doc. 11). Further, the Government does not state whether notice was submitted to either of Defendants' attorneys or whether the identity of such an attorney is known. Therefore, in regards to the Government's motion for

¹ **LOCAL RULE 55.1(a)** requires a party to certify to the Court that notice of the entry of default has been sent to the defaulting party. Further, **LOCAL RULE 55.1(b)** requires a party to state in its motion for default judgment that it provided a copy of the motion to the defaulting party by mailing a copy to the defaulting party's last known address. A party is also required to inform the Court that it has mailed a copy of the motion to the defaulting party's attorney, if the filing party knows or reasonably should know the identity of the defaulting party's attorney. *See* **LOCAL RULE 55.1(b)**.

entry of default judgment (Doc. 12), the Court **ORDERS** the Government to submit a supplement to its motion informing the Court as to whether it has provided the required notice to the defaulted parties at their last known address and the date upon which that notice was sent out. The Court **DEFERS** ruling on the Government's motion until such time as it submits the proper notice. The Government will have up to and including **August 12, 2010** in which to file its Supplement.

IT IS SO ORDERED.

Signed this 29th day of July, 2010.

/s/ David R. Herndon

**Chief Judge
United States District Court**